

12-9-05

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

RICHARD LAMAR CARTER
GEORGE HOWELL
VERNON CHARLES SMITH
GLORIA BUTLER
DANNY KIRKLAND
ROBERT ROLLINS

CIVIL ACTION NO.: CV590-276
CV590-273
CV590-278
CV591-005
CV591-019
CV597-076

Plaintiffs,

v.

CSX TRANSPORTATION, INC.,

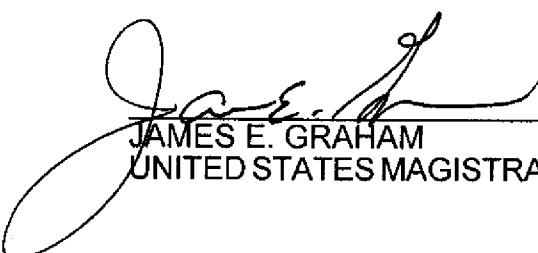
Defendant.

O R D E R

Plaintiffs have designated portions of two depositions of William Edwin Mims as testimony which they seek to introduce at the trials of the captioned cases. Those depositions were not taken in any of these cases. Defendant has filed Objections to the introduction of those portions of Mims' depositions. (Doc. 130.)

The designated portions of the depositions of William Edwin Mims will be allowed only if relevant and the requirements of Federal Rule of Evidence 804 (b)(1) are satisfied.

SO ORDERED, this 9th day of December, 2005.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE